Ordinance No. 04-08

AN ORDINANCE ADDING A RR/PV RURAL RESIDENTIAL/PLANNED VILLAGE OPTIONS ZONING DISTRICT, DELETING THE R-1A ZONING DISTRICT, MODIFYING RELATED PROVISIONS, AND AMENDING THE DEVELOPMENT REGULATIONS ORDINANCE OF THE BOROUGH OF ROCKY HILL, SOMERSET COUNTY, NEW JERSEY

BE IT ORDAINED by the Mayor and Council of the Borough of Rocky Hill:

1. Section 701 of the Development Regulations Ordinance of the Borough of Rocky Hill is amended to read as follows:

701 ZONING DISTRICTS

For the purpose of this Ordinance the Borough of Rocky Hill is hereby divided into use districts as follows:

R-1	Single Family Residential	
R-1A	Transitional Low-Density Residential	
RR/PV Rural Residential/Planned Village Options		
R-1/A	Planned Residential A	
<u>R-1A</u>	Planned Residential A	
R-1B	Planned Residential B	
R-2	Village Residential	
R-2A	Transitional Village Residential	
R-3	Residential-Cluster	
В	Business	
VO	Village Office	
IND	Industrial	
CL	Community Land	
HP	Historic Preservation	
AH	Airport Hazard	

The Historic Preservation District shall be an overlay district, and for any land located within it the regulations set forth in section 713 shall be in addition to the regulations of the other zoning district or districts within which such land is located.

2. Section 702 is amended in order to map a new district entitled Rural Residential/Planned Village Options incorporating Block 10, Lot 19 (the Schafer tract) and by amending the Section 702 text to read as follows:

702 ZONING MAP

The boundaries of these districts are hereby established as shown on the map entitled "Zoning Map of the Borough of Rocky Hill -1" = 200 Scale" and "Zoning Map of the Borough of Rocky Hill -1" = 500 Scale" dated May 1, 1993, _______ 2004 which accompany and are hereby made a part of this Ordinance.

3. Article 7 is amended by deleting Section 704 and by adding a NEW Section 704 as follows:

704 RR/PV RURAL RESIDENTIAL/PLANNED VILLAGE OPTIONS

A. Purpose

It is the purpose of this district to provide for low density development consistent with the environs of the Village Center and for maximizing the preservation of open space along Princeton Avenue in order to continue the greenbelt around the Village Center and to avoid suburban sprawl, consistent with the Land Use Plan element of the Master Plan. This may be accomplished by the development of a limited number of farmettes retaining the rural characteristics of the area and the Princeton Avenue streetscape or by village development options whereby common open areas are retained along the Princeton Avenue corridor and additional dwelling units are permitted to be developed contiguous to the village. The village development options are based on the adjacent R-1 district development density and on a density bonus if affordable housing and agerestricted housing are provided. They result in a compact form of development compatible with the traditional scale, street grid, and architecture of the Village Center and Historic Preservation District and provide a realistic opportunity for the construction of affordable housing.

- B. Principal Permitted Uses on Land and in Buildings
 - 1. Single-family residences meeting the standards set forth in Section 704E.
 - 2. A planned unit residential development with or without the density bonus provided for by Section 704F2 meeting the standards set forth in Section 704F and G and in which the following uses are permitted:
 - a. Single family residences.
 - b. Two family residences.
 - c. Rowhouses.
 - 3. General farming.
- C. Accessory Uses Permitted
 The same as in the R-1 District.
- D. Conditional Uses
 - 1. Home occupations meeting the standards set forth in Section 703D2.
- E. Comprehensive Development, Density, Bulk, Yard, Parking, and Improvement Area Setback Requirements for Single-Family Residences not in a Planned Unit Residential Development
 - 1. Min. Tract Size: The entirety of the district,

which shall be designed in a comprehensive manner, and any development application that includes a dwelling unit shall show all proposed development

for the entire district.

4 acres, except that the lot size may be reduced below 4 acres provided that the equivalent of such reduction is placed in an open space lot, which may be less than 4 acres and which shall

remain undeveloped.

3. Max. Sq. Ft. per Dwelling Unit: 5,500 total sq. ft., including

garages, except that detached garages are not included in such

limitation.

4. Max. Building Height

2. Min. Lot Area:

Principal Structure: 2 1/2 stories, but not to exceed

35 ft.

Accessory Building: 18 ft. 5. Max. Lot Coverage: 20%.

6. Min. Setback for

Principal Structures from

Residential Districts: 100 ft.

7. Min. Setback for

Accessory Structures from

Residential Districts: 75 ft.

- 8. Within a 275 foot setback from the Princeton Avenue right-of-way, which represents the approximate rear plane of the principal dwelling on Block 10, Lot 10, no improvements other than pedestrian and bicycle paths, equestrian trails, and fences shall be permitted, nor shall land be planted with formal landscaping. Such setback area shall be maintained as an open field or in farming operation, and any landscaping shall be installed pursuant to a landscape plan submitted as part of subdivision approval and shall be consistent with this subsection. A deed restriction governing open space provided pursuant to Section 704E2 and this Section 704E8 and setting forth the requirements contained in this Section 704E8 shall be recorded. It shall be subject to the review and approval of the Planning Board attorney. Nothing herein shall preclude the property owners from farming the property in accordance with the Farmland Assessment Act and Right to Farm Act.
- 9. There shall be no more than one access to Princeton Avenue.
- F. Comprehensive Development, Density, Bulk, Yard, and Parking Regulations for Planned Unit Residential Development

1. Min Tract Size: The entirety of the district,

which shall be designed in a comprehensive manner, and any development application

that includes a dwelling unit shall show all proposed development for the entire district.

2. Number of Dwelling Units Permitted:

The maximum number of dwelling units permitted in the district (whether single family residences, two family residences, or rowhouses) shall be calculated by submitting a test plat of lots conforming to the R-1 district standards, except that there shall be a density bonus of 100% if: (a) at least 15% of the total number of dwelling units in the development are made available to low- and moderateincome households, are not agerestricted, meet all requirements of the N.J. Council on Affordable Housing, are integrated into the development, and from the exterior are not distinguishable from the market units; and (b) the number of dwelling units built pursuant to the density bonus, which are all units in excess of those calculated by platting using the R-1 standards, are age restricted so that at least one household member is 55 years of age or older and any children residing in the household are at least 18 years of age.

3. Standards for Single Family and Two Family Residences

5,000 sq. ft.
12,000 sq. ft.
100 ft.
50 ft.
15 ft.
40 ft.
5 ft.
5 ft.

Schafer Tract

g. Min. Rear Yard

Principal Structure: 20 ft. Accessory Building: 5 ft.

h. Max. Building Height

Principal Structure: 2 1/2 stories, but

not to exceed 35 ft.

Accessory Building: 18 ft. i. Max. Lot Coverage: 50%

j. Max. Sq. Ft. per Dwelling Unit: 3,000 sq. ft. of

habitable space.

k. Any garage shall be detached and located behind a plane formed by the rear facade of the principal structure.

1. Shared driveways are permitted, in which case the garages for lots sharing the driveway may be attached to one another.

4. Standards for Rowhouses

a. Max. Units per Building: 6 dwelling units.

b. Min. Setback from

Any Building to Residential Districts: 50 ft.

c. Min. Distance between

Multifamily Residential Building

and Other Principal Permitted Uses: 35 ft.

d. Max. Building Height

Principal Building: 2 1/2 stories, but

not to exceed 35 ft.

Accessory Building: 18 ft.

e. Max. Square Footage

per Dwelling Unit: 2,400 sq. ft. of living space.

f. Max. Lot Coverage: 50%.

g. Parking shall be provided in a shared garage detached from the unit, on the street proximate to the rowhouse, or on a driveway in front of the unit. At least half of the parking spaces shall be off the street. Parking for visitors shall be designed so as to not be visible from Princeton Avenue. Landscaping may be employed to achieve this goal if determined by the Board to be adequate.

G. Design Standards for Planned Unit Residential Development

- 1. The lots, road configuration, building placement, and unit types set forth on the Illustrative Figures for RR/PV Zone attached to the Land Use Plan element of the Master Plan of the Borough of Rocky Hill are for illustrative purposes only and show plans satisfying the goals of the RR/PV district regulations.
- 2. A village green shall be provided.
- 3. All building lots shall be at least 275 feet from the Princeton Avenue right-of-way.

- 4. Deed restrictions acceptable to the Planning Board attorney shall be recorded for that portion of the common open space within 275 feet of the Princeton Avenue right-of-way so as to ensure that it is maintained as an open field without formal landscaping or in farming operations, and that no buildings, walls, storm water detention facilities, or other improvements, other than pedestrian and bicycle paths, equestrian trails, and fences, shall be installed therein. The area subject to the deed restrictions shall be maintained in accordance with a landscape plan approved as part of the development application. Nothing herein shall preclude the property owners from farming the property in accordance with the Farmland Assessment Act and Right to Farm Act.
- 5. A variety of lots sizes and unit types are encouraged.
- 6. There shall be not more than one access road from Princeton Avenue, and the access point therefor shall be located in a manner so as to minimize the disruption of the open space along the Princeton Avenue corridor, subject to a determination by the Board's Professional Engineer and Traffic Engineer that such point will provide safe ingress and egress for the development.
- 7. Public pedestrian and bicycle access to the abutting park shall be provided.
- 8. A landscape buffer in accordance with Section 606 shall be provided along the Industrial District boundary. In the area where there is an existing sanitary sewer easement, the buffer shall be in addition to same.
- 9. Buildings shall be designed in a style and scale compatible with the architecture within the Historic Preservation district and shall meet all Historic Preservation District standards.
- H. Regulations for the Raising and Breeding of Horses

Until such time as a subdivision for building lots is constructed in accordance with the above, the following shall apply whenever a lot is used for the raising and breeding of horses:

- 1. Minimum area: 3 acres, including the lot plus land on adjoining lots dedicated by easement for such purposes.
- 2. Number of horses permitted: no more than one/acre.
- 3. Setbacks: all structures and areas for the feeding and boarding of horses and all manure piles shall be set back at least 100 feet from all property lines.
- 4. Fencing: lots upon which horses are raised and bred shall be suitably fenced, but electric fences are prohibited.
- 4. Section 705 is amended so that "R-1A" is substituted for "R-1/A" wherever it appears.
- 5. If any provision hereof is invalidated by a court of competent jurisdiction, the remaining provisions herein shall remain in full force and effect.
- 6. This ordinance shall take effect upon its filing with the Somerset County Planning Board and its passage and publication, as provided for by law.

Raymond E. Whitlock, Jr., Clerk	Brian A. Nolan, Mayor	
Introduction		
Final Adoption		